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CRL OP No. 27878 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-06-2026

CORAM

THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

**CRL OP No. 27878 of 2025 &
Crl.M.P.Nos.18915 and 18916 of 2025**

Tr.U.S.Palanisamy
S/o. Subbaraya gounder,
Ex-President,
Ugayanoor Village, Tiruppur.
Now Residing at
D.No.3/251, Ugayanoor,
Tiruppur South Taluk,
Tiruppur.

..Petitioner(s)

Vs

1. The State rep by
Deputy Superintendent of Police
Vigilance and Anti Corruption,
Tiruppur. Crime No.3 of 2017.
2. D. Deivasigamani
S/o. Duraisamy,
No.1/34, Pannaikinathupalayam,
Pollikazhipalayam Post,
Tiruppur Via, Pin 641665.

..Respondent(s)

Prayer: Criminal Original Petition filed under Section 528 of BNSS Act to call for the records pending in Spl.CC.No.3 of 2022 on the file of the learned Chief Judicial Magistrate, Tiruppur and quash the same.

For Petitioner(s):

Mr.A.Natarajan
Senior Counsel for
Ms.A.Madhumathi



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For Respondent(s):

Mr.Ganesh Kumar for R1
Counsel for Government of Tamilnadu
(Crl.Side)
Mr.V.Veluchamy
Mr.S.Sai Shankar for R2

ORDER

This Criminal Original Petition has been filed to call for the records pending in Spl.CC.No.3 of 2022 on the file of the learned Chief Judicial Magistrate, Tiruppur and quash the same.

2. Heard the learned Senior Counsel appearing for the petitioner.

3. The learned Government Advocate (Crl.Side) appearing for the 1st respondent would submit that trial has commenced and so far, the prosecution had examined P.W.1, therefore, quash petition is not maintainable.

4. In reply the learned senior counsel appearing for the petitioner relied upon the judgment of the **Hon'ble Supreme Court of India in Crl.Appeal No.2083/2013 (Arising out of SLP(Crl.) No.10056 of 2012) dated 11.12.2013 [Kamlesh Kumar Vs.State of Bihar and Ors.]** in which the Hon'ble Supreme Court has held that the quash petition can be entertained to quash the proceedings of trial even after commencement of trial, if the Charge sheet is laid against law. In the present case, the charge is barred under law.



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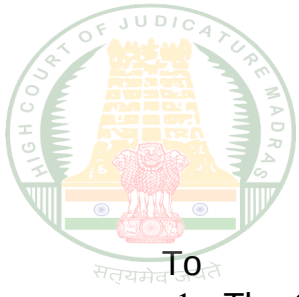
5. On hearing the submissions made on either side and on perusing the entire documents placed on record, it is seen that the charge sheet, filed as against the petitioner and other accused persons is not barred by Law. The statements and material evidences are very much available and make out a prima facie case to charge the petitioner / accused for the offences under Section 13(2) r/w 13(1)(c) of the Prevention of Corruption Act, 1988 and Section 13(2) r/w 13(1)(c) of the Prevention of Corruption Act, 1988 r/w 120(b) of IPC. Therefore, the Judgment relied upon by the petitioner are not applicable to the present case on hand.

In view of the above, the present petition seeking to quash the entire proceedings as against the petitioner in Spl.C.C.No.3 of 2022 on the file of the learned Chief Judicial Magistrate, Tiruppur, is dismissed and the trial court is directed to complete the trial within a period of six months from the date of receipt of a copy of order. Consequently, connected miscellaneous petitions are closed.

29-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

ssd



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To

1. The Chief Judicial Magistrate, Tiruppur,
2. The State rep by Deputy Superintendent of Police
Vigilance and Anti Corruption, Tiruppur.
Crime No.3 of 2017.
3. The Public Prosecutor,
High Court, Madras

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G.K.ILANTHIRAIYAN, J.

ssd

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